

## UNITED STATES DISTRICT COURT

for the

District of Massachusetts

Robert James Esquivel

Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

State of Texas, City of San Antonio, San Antonio  
Police Department,  
Roland Pacheco Badge #594

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

FILED  
IN CLERKS OFFICE  
2023 FEB - 8 AM 11:40  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

## COMPLAINT FOR A CIVIL CASE

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Robert James Esquivel
Street Address	56 Margin Street
City and County	Salem, Essex county
State and Zip Code	Massachusetts 01970
Telephone Number	210-982-9050
E-mail Address	rjesquivel@liberty.edu

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

---

**Pro Se 1 (Rev. 09/16) Complaint for a Civil Case**

---

**Defendant No. 1**

Name	The State of Texas
Job or Title <i>(if known)</i>	Office of the Attorney General
Street Address	P.O. Box 12548
City and County	Austin of Travis County
State and Zip Code	Texas 78711
Telephone Number	512-463-2080
E-mail Address <i>(if known)</i>	

**Defendant No. 2**

Name	City of San Antonio
Job or Title <i>(if known)</i>	City of San Antonio Attorney
Street Address	100 W Houston St
City and County	San Antonio county of Bexar
State and Zip Code	Texas, 78205
Telephone Number	210-207-8940
E-mail Address <i>(if known)</i>	

**Defendant No. 3**

Name	San Antonio Police Department
Job or Title <i>(if known)</i>	City of San Antonio Attorney
Street Address	100 W Houston St
City and County	San Antonio county of Bexar
State and Zip Code	Texas, 78205
Telephone Number	210-207-8940
E-mail Address <i>(if known)</i>	

**Defendant No. 4**

Name	Roland Pachenco
Job or Title <i>(if known)</i>	Officer badge #594
Street Address	13030 Jones Maltsberger Rd.
City and County	San Antonio
State and Zip Code	Texas 78247
Telephone Number	0-207-8126
E-mail Address <i>(if known)</i>	

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

28 usc sect 4101, 18 usc sect 1001(a), Title 8 ch. 37 sect 37.02, Title 8 ch. 37 sect 37.10, Title 4 ch.73 subchapter A, sect 73.001 of the Texas state statutes,

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* Robert James Esquivel, is a citizen of the State of *(name)* Massachussetts.

**b. If the plaintiff is a corporation**

The plaintiff, *(name)*, is incorporated under the laws of the State of *(name)*, and has its principal place of business in the State of *(name)*.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, *(name)* Roland Pacheco, is a citizen of the State of *(name)* Texas. Or is a citizen of *(foreign nation)*.

b. If the defendant is a corporation

The defendant, *(name)* City of San Antonio, is incorporated under the laws of the State of *(name)* Texas, and has its principal place of business in the State of *(name)* Texas.  
Or is incorporated under the laws of *(foreign nation)* \_\_\_\_\_,  
and has its principal place of business in *(name)* \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because *(explain)*:

6,000,000

see attached

---

**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See Attached

---

**IV. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

See Attached

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

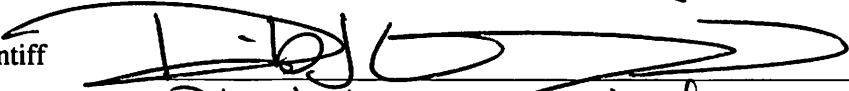
**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 02/07/2023

Signature of Plaintiff

Printed Name of Plaintiff

  
Robert James Esquivel**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

### **III**

#### **CHIEF COMPLAINT**

The issue of this complaint revolves around false statements made on an affidavit, signed and dated February 07, 2023, by the named defendant, Roland Pacheco, badge #594.

On this day, the plaintiff, Robert James Esquivel, was transported to the Methodist Stone Oak Hospital, located at 1139 East Sonterra Blvd, by EMS, due to an immediate need for treatment.

At approximately 2120 (military time), officer Roland Pacheco made statements on SAPD form #127, a form used for Emergency Detention. Found within this form is a section for the officer to articulate his line of reasoning as to why the Emergency Detention is justifiable. It is here, found within section four that the statements made by the said officer (defendant) are false and grossly elaborated.

The statement(s) made by the defendant contains terminology that was intentionally done to influence the staff members to believe that the plaintiff, Robert James Esquivel, had a mental illness. This is further indicated within notes of the medical staff's report, outside of the signed affidavit in question, but found within the medical report in its totality.

The defendant Roland Pacheco is an officer of the San Antonio Police Department. The San Antonio Police department is an extension of the City of San Antonio. The City of San Antonio is recognized as being incorporated into the state of Texas.

At all material times, each of the Defendants was/is the agent and employee of every other Defendant in doing the events described and was at all times acting within the purpose and

scope of such agency and employment and are vicariously liable under the theory of respondeat superior for the actions and inactions of their employees and contractors.

#### **IV**

#### **RELIEF**

The plaintiff prays for the relief to be in the form of ;

(A) Redaction, clarification, and or correction.

(1) The statements made remain on a medical report that will be needed to be filed with the FAA to obtain a medical certificate. The statements made may jeopardize approval and or require the plaintiff to undergo unnecessary rehabilitation courses throughout the course of life, amounting to unnecessary out-of-pocket expenses and or unnecessary time delay/ use.

(B) Public Apology

(C) Five or more years of imprisonment; maximum allowable and justifiable by law.

(D) Exemplary damages to the maximum allowable and justifiable by law.

(1) The amount in controversy is an estimation of potential loss of income due to the false statements made to hospital staff that led to influencing the diagnosis (misdiagnosis) of psychosis, mania, and "delusional." this has an effect on the FAA medical report, and by nature the plaintiff's ability to obtain and or maintain the career of a pilot. The amount in controversy is the total amount of wages over a course of 30 years.

(E) Out-of-pocket expenses

(F) Pain and suffering, emotional anguish and noneconomic damage

(G) For such further relief as the Court deems just and fair.

**V**

**DEMAND FOR TRIAL BY JURY**

Plaintiff demands a trial by jury on all issues so triable.



**VI**

**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiff ROBERT JAMES ESQUIVEL prays that Defendants be cited to appear and answer herein, and that upon final hearing of the cause, judgment be entered for the Plaintiff against Defendants for damages in an amount within the jurisdictional limits of the Court; together with pre-judgment interest at the maximum amount allowed by law; post-judgment interest at the legal rate, costs of court, attorney fees, and such other and further relief to which the Plaintiff may be entitled at law or in equity.

Respectfully signed,

A large, stylized handwritten signature in black ink, appearing to read 'R. Esquivel', is written over a horizontal dashed line.

02/07/2023

**Robert James Esquivel**

Plaintiff

56 Margin St.

Salem, MA 01970

210-982-9050